



Staff Agency for the Judicial Conference of Indiana  
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Telephone: (317) 232-1313 Fax: (317) 233-3367

December 1, 2002

Hon. James Smith  
Lincoln Superior Court  
123 Park Place  
Hometown, Indiana 45678

Dear Judge Smith,

The Indiana Judicial Center conducted a review of the Lincoln Superior Court Alcohol and Drug Program, your Court-Administered Alcohol and Drug Program on January 12, 2002. During the course of that review, you were provided with an Executive Summary, which provided you with summarized results of the review.

The purpose of this correspondence is to provide you with a more detailed report of that review. This final report is enclosed for your information and action, as you deem appropriate. As a result of this review, your program has been designated: **FULLY CERTIFIED**. This is our highest designation and entitles your program to a three-year operating certificate, which will be sent to your Program Director under separate cover.

As part of our certification process, your Program Director will receive a Mid-term visit, by a member of our staff, in the next 18-24 months, to discuss the status of your program and your next review. We will schedule that visit with your Program Director.

On behalf of the Indiana Judicial Center, I wish to congratulate you on your successful certification review. You, your Program Director, and the program staff were very professional and supportive during our visit. Your success is a reflection of the professionalism and hard work of your excellent staff.

Congratulations on a very successful review and best wishes for your continued success.

Sincerely,

William F. Carey, Administrator  
Court Alcohol and Drug Program

cc: Program Director

WFC:bc



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## **FINAL REPORT**

### **Certification Review LINCOLN SUPERIOR COURT ALCOHOL AND DRUG PROGRAM**

#### **I. OVERVIEW**

##### **1. Authority.**

This review was conducted under the authority of IC § 12-23-14-13 and Section 8, Rules for Court-Administered Alcohol and Drug Programs, Judicial Conference of Indiana, as amended September 9, 2003.

##### **2. Purpose and Scope**

The purpose of this review is to provide oversight and assistance to judges operating a Court-Administered Alcohol and Drug Program under IC § 12-23-14.

The scope of this review includes policies, procedures, relationships, and other collaborations employed by the court in the execution of its program.

##### **3. Previous Review**

The Indiana Judicial Center conducted a review of this program on July 27, 1999. This program has been operating under a 3-year certification certificate issued by the Indiana Judicial Center at that time.

##### **4. Methodology**

This review utilized multiple reviewers and methods of review. A comparison was conducted of the program's policies and procedures to the requirements outlined in the statutes and governing rules. Interviews were conducted with staff and government officials, who work with the program (judges, program director, program staff, prosecutor, probation, public defender, auditor, clerk of the court, etc.), to determine the program's effectiveness. Also, reviews of client satisfaction, and the effectiveness of treatment providers and contractors were conducted. Selected open case files were reviewed to evaluate compliance with clinical requirements. A Certification Summary of this review was presented to the Supervising Judge, and a detailed exit briefing was presented to the Program Director with the opportunity for concurrent or dissent from both the Supervising Judge and Program Director.

## **II. PROGRAM DESCRIPTION**

Governing Body: Hon. James Smith  
Supervising Judge: Hon. James Smith  
Program Director: Ms. Jane Doe

Lincoln Superior Court operates a small free standing Court Alcohol and Drug Program. The program was started in 1990. The program conducts an average of 200 assessments per year. Hon. James Smith is the Supervising Judge of the Program, and acts as the Governing Body. Ms. Jane Doe is the Program Director and conducts all assessments and instructs some of the education. She has a part-time educational instructor as well and a full-time secretary. The program enjoys good support from the Supervising Judge, Probation Department, Prosecutor, and Public Defender's Office. Fiscal transactions seem to be handled in a uniform and consistent manner by the County Clerk and Auditor. However, there is a need to have the program linked technologically with the Clerk and Auditor to allow appropriate reconciliation of the Alcohol and Drug User Fee fund. The program appears to be in compliance with statutes and most rules.

## **III. COMPLIANCE with STATUTES**

**Rating – SATISFACTORY**

This program appears to be in compliance with IC § 12-23-14. .  
Specifics of compliance with IC § 12-23-14-16 are detailed below under Fiscal Management.

## **IV. COMPLIANCE with RULES**

**Rating – SATISFACTORY W/COMMENT**

This program appears to be in compliance with rules pertaining to Administration and Fiscal Management. Comments were made in the areas of Program Management, Clinical Standards, Facilities, and Personnel Management.

### **1. ADMINISTRATION**

**(Sections 1-17, 19)**

**Rating – Satisfactory**

- A. The program complied in a very timely and professional manner to all recertification procedures outlined in Sections 8. (See Application)
- B. The Policies and Procedures Manual contained all the information required for non - discrimination as required by Section 19.

### **PROGRAM MANAGEMENT (Sec. 18, 27, 30-32) Rating – Satisfactory w/comment**

**COMMENDATION:** The program is commended for the professionalism and attitude of the staff.

**COMMENDATION:** The program is commended for its participation in a pilot program for advanced substance abuse education.

**COMMENDATION:** The program is commended for conducting a Jail Substance Abuse Education Program.

## 2. PROGRAM MANAGEMENT (Cont'd)

- A. Program Philosophy, Goals, and Objectives (Section 18) are adequately stated in the PPM.
- B. Sec. 27(a)&(b). Judge Smith acts as the Governing Body and provides strong oversight. The Program Director has been designated to conduct day-to-day activities.
- C. Sec. 27(c). Policy and Procedure Manual, in the area of education, indicated a conflict of information. One area stated that two of the three levels of education offered are approved by the Indiana Judicial Center, and another area indicated that all three are approved. Substance Abuse Information courses must include a minimum of eight hours of substance abuse information.

**Finding:** The Policy and Procedures Manual (PPM) includes a conflict of information in the area of education.

**Recommendation:** That the program clarify which types of education are approved by the Indiana Judicial Center.

- D. Sec. 27(d). The Governing Body is responsible to ensure that an annual report is prepared and kept on file. It should include the program's accomplishments and activities, income and expenses, and documentation of visits by the Indiana Judicial Center.

**Finding:** The program does not prepare an annual report for review by the Governing Body.

**Recommendation:** That the program prepares an annual report and provides it to the Governing Body and staff.

- E. Sec. 27(e)&(f). The program appears to utilize certified substance abuse treatment agencies to provide treatment services that cannot be provided by the program for court-referred clients; however there is a need for services such as IOP and Relapse Prevention that are not available in the community. Referral agreements exist where an agency is referred 10 or more clients per calendar year.

**Finding:** The program does not have an adequate continuum of services available within the county to meet the treatment needs of the clients.

**Recommendation:** That the program either work with the existing agency to develop adequate services or utilize other agencies to bring adequate services into the community.

- F. Sec. 27(g). The program's certificate is hung on the wall in the client waiting area, where it is prominently displayed.
- G. Sec. 27(h). The program provides a client survey during the exit appointment as well as when the client has been violated. All required areas are available for comment by the client. Completed surveys are kept in a file by year for program evaluation.

## 2. PROGRAM MANAGEMENT (Cont'd)

- H. Sec. 30. Review of personnel files indicates the staff meet qualifications for obtaining and maintaining Assessment Staff Status.
- I. Sec. 31. The program offers three types of substance abuse education: a 5-hour education, a 12-hour education (Level Two), and a 20-hour education (Level Three). The 5-hour education does not meet the minimum criteria of the Indiana Judicial Center for a Substance Abuse Information course. To meet the minimum requirement, this curriculum needs to be at least 8 hours in length.

**Finding:** The program provides a 5-hour education course that is not approved by the Indiana Judicial Center.

**Recommendation:** That the program only education courses that are approved by the Indiana Judicial Center.

- J. Sec. 32. The program uses contractors for education and all contracts are on file in the PPM. Contractors are not staff of the program. The program appears to be in compliance with the rules regarding contractors.

## 3. CLINICAL STANDARDS (Sections 20-25) Rating – Satisfactory w/comment

- A. Client's Rights (Section 20) are provided in Policy (PPM) and are utilized appropriately in practice.
- B. The program provides appropriate Client Orientation as required in Section 21.
- C. Sec. 22(a)-(d). The assessment policy clearly describes the assessment procedure and the form contains all the required elements; however the form does not provide the needed evidence of a face-to-face evaluation. All questions on the form need to be answered in writing and assessor notes need added if the client is filling in the blanks. The narrative summary needs to include the assessment result (label) as noted by the assessor, the criteria or evidence used to make that decision, and the recommendations made as a result of the assessment.

**Finding:** Sec. 22(d)(1)&(2). Narrative summary and assessment form do not provide all needed evidence of a face-to-face evaluation.

**Recommendation:** That the program ensure that all blanks are filled in on the assessment forms and include the assessment (label) in the narrative summary.

- D. Sec. 22(e)&(f). The Individualized Service Contract (ISC) is utilized appropriately in the assessment and referral process.
- E. Sec. 23. Client Privacy was observed by the reviewer. The Program Director and Staff appear to fully respect the privacy of clients.

### 3. CLINICAL STANDARDS (Cont'd)

- F. Sec. 24. Client records are kept in locked file cabinets and confidentiality of records appears to be enforced by staff. Release of information forms are currently utilized appropriately; however the program should ensure that any updates to the interpretation of 42CFR2 are incorporated on an on-going basis.
- G. Sec. 25. The progress of the client appears to be managed in an appropriate manner through the use of progress notes, contact with referral sources, and compliance reports. The program provides a written report to the court that is placed in the client record.

### 4. FACILITIES (Section 26) Rating – Satisfactory

- A. Sec. 26(a) The facilities provided to the Program are in a building across the street from the courthouse and are not connected to the courthouse computers.
- B. Sec. 26(b)&(c). The facilities of the Program appear to be sound in construction and safety; however a fire inspection has not been documented recently.

**Finding:** Sec. 26(c). The program does not have current documentation of a fire inspection on file.

**Recommendation:** That the program request a fire inspection and maintain current documentation of such inspections.

- C. Sec. 26(d). The Program appears to provide appropriate space for confidential appointments and for storage of confidential records.

### 5. FISCAL MANAGEMENT (IC 12-23-14-16) Rating – Satisfactory (Section 28)

- A. Sec. 28(a). The program seems to have an accounting process that ensures appropriate reconciliation. Procedures employed by the court, County Auditor and Clerk of the Court were reviewed and verified. The program has adequate communication between all necessary elements through paper reports, but is not able to determine compliance with fees and reconciliation on anything more than a monthly basis. The court appears to be in compliance with IC 12-23-14-16.
- B. Sec. 28(b). The program has a current budget on file with the Auditor.
- C. Sec. 28(c). The program has a documented schedule of fees that has been ordered by the Supervising Judge. A copy of the judge's order is on file with the Program Director.
- D. Sec. 28(d). The program's fees are collected by the Clerk's Office. Collection procedures have been verified and are appropriate.

## 5. FISCAL MANAGEMENT (Cont'd)

- E. Sec. 28(f). The program uses the Alcohol and Drug User Fee fund for disbursements that relate to program services or support of the program as required by statute.
- F. The program has a policy to address all required areas of fiscal management.

**Consideration:** The Program may wish to consider approving the proposed fee schedule to more appropriately reflect current state trends.

**Consideration:** The Program may wish to consider providing a direct link to the computer system of the Clerk and the Auditor either through a change in facilities or other means of linkage.

## 6. PERSONNEL MANAGEMENT (Section 29) Rating – Satisfactory w/comment

- A. Sec. 29(a)-(c). The program has policies regarding personnel management that meet minimum standards. Personnel files contain some of the required information; however all elements must be in the personnel files. Verification of credentials and qualifications of staff was observed by the reviewers. The Program Director does not have all personnel files on-site to ensure appropriate maintenance.

**Finding:** Sec. 29(c). The Program does not maintain personnel files that contain all required information.

**Recommendation:** That the program personnel files contain all elements indicated in Section 29(c)(1)-(7).

**Consideration:** The Program may wish to consider the director maintaining copies of personnel files to provide appropriate supervision of staff.

- B. Sec. 29(d). The Program needs to utilize a formal procedure for new staff orientation and copies of training certificates need to be kept in the personnel files to ensure maintenance of assessment staff status. Adequate training opportunities should be provided for all staff positions.

**Finding:** Sec. 29(d)(1). The program does not have a formal orientation procedure or form for new staff.

**Recommendation:** That the program develop and utilize an orientation procedure for new staff.

## **V. QUALITY REVIEWS**

Reviewers – Mr. Carey and Ms. Amsbury

### **1. PROGRAM STAFF**

**Rating – Satisfactory**

- A. It was concluded that the program staff was adequate in numbers.
- B. The staff displayed a high degree of professionalism. Their education background, courtesy, and respectfulness to others demonstrated this fact.
- C. The staff appears capable in their management of the program.
- D. The staff appears capable in their ability to provide adequate services.

## **VI. INTERVIEWS**

Reviewers conducted interviews and discussions with all members of the Program. It was concluded that the program seems to enjoy a solid reputation among criminal justice, legal, and governmental agencies. The court appears to have a good rapport with all supporting community and government agencies, activities, and programs. This was evidenced in interviews and discussions with the Prosecutor, Chief Probation Officer, Auditor, Clerk, and Public Defender.

## **VII. PROGRAM DESIGNATION - FULLY CERTIFIED**

The Program is designated as FULLY CERTIFIED.

The Program is awarded a certificate for a 3-year certification, which will be forwarded under separate cover.

## **VIII. APPEAL PROCEDURES**

- A. A program, which has been awarded a 1-year or 3-year certificate, may provide comments regarding the certification process at any time if the program would like the IJC to consider comments. The program must provide comments regarding dissent from any finding or designation to IJC in writing **within 15 days** of the review date.
- B. A program that has its certification application denied is entitled to submit through the Supervising Judge, written objections to the IJC **within 30 days** of the denial. The provisions under Section 14 of the governing rules would then be initiated.
- C. All comments or appeals are to be sent via certified mail, return receipt requested, to: **CADPAC Certification Committee** c/o Indiana Judicial Center.

**Respectfully Submitted,**

**December 1, 2002**

**William F. Carey**, Administrator  
Court Alcohol and Drug Program